

CITY OF MUSKEGON
MUSKEGON HOUSING BOARD OF APPEALS
MEETING MINUTES
03/06/08
5:30PM

ATTENDANCE: Randy Mackie, Ed Simmons, Jon Rolewicz, Kirk Kolberg, Nick Kroes

ABSENT:

EXCUSED: Greg Borgman, Chris Carter

STAFF: Mark Kincaid, Jim Hoppus, Carmen Smith, Henry Faltinowski, Major Metcalf

GUESTS: Rob Schweifler(1641 Beidler), Ruth Pool(1682 Elwood), Marilyn Brewster(254 Amity)

Meeting minutes: A motion was made by Randy Mackie and seconded by Kirk Kolberg to approve the February 2008 minutes.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Randy Mackie		Greg Borgman		
Jon Rolewicz		Nick Kroes (late)		
		Chris Carter		
Ed Simmons				
Kirk Kolberg				

Motion carried.

Election of officers Greg Borgman, Chairman and Jon Rolewicz as co-chairman, motion made by Randy Mackie and seconded by Ed Simmons.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Randy Mackie		Greg Borgman		
Jon Rolewicz		Nick Kroes (late)		
		Chris Carter		
Ed Simmons				
Kirk Kolberg				

Motion carried.

DANGEROUS BUILDING REVIEW CASES:

EN-070047 – 1641 Beidler - Rob Schweifler – 1635 Beidler, Muskegon, MI 49441

Rob Schweifler was present to represent case.

Mr. Schweifler stated notice he received said he pulled permit but no work done. He stated on agenda that work that was originally cited for dangerous building was completed immediately and he had Henry Faltinowski do a walkthrough and per his suggestion did the things that was noted on his list. Mr. Schweifler stated he had a electrical permit pulled and has replaced the electrical from the street and throughout the house with a value of \$14,000. He stated he had the plumbing inspector do a walkthrough and has hired a plumber to replace all the plumbing in the house. He stated he has replace most of the windows and stripped all flooring, cabinets tore out and ordered new. He's taken out two loans to do the work. He says it will take \$60,000 to do the house right so has to make up difference what the bank won't finance. He said work is being done daily. He stated he would like to see it off the Dangerous Building List. Mark Kincaid said problem is rough-in inspection was done in January 2008 and we haven't heard anything else and if Mr. Schweifler feels he's done everything to take house off the Dangerous Building List then he needs to inform Inspections so they can come take a look so as to get it off the list. Mr. Schweifler said he guess he should be more familiar with the process but he had the rough-in electrical inspected and can't get finals done until he gets other stuff done like getting plumbing done first before he can put in the cabinets, cabinets before he can put in the lights etc., things have to be done in steps but if the issues on the original list such as fascia and doors he says all those things have been corrected and can have Henry Faltinowski come out to inspect and sign off if that's all that needs to be done. Mark Kincaid stated that permits have also expired so it would simply be a manner of

renewing them. Mr. Schweifler said he initially got permit to do the initial rough construction work and that's done so he asked does he need to renew permit in that case and Mr. Kincaid stated if work is done he doesn't need to renew but need final inspections done to officially close out permit. Henry Faltinowski said the problem is Mr. Schweifler is going above and beyond the items that were on the dangerous building list and no final inspection had been scheduled to check those individual items on the list. Jim Hoppus asked if an interior inspection needed to be done before structure could be taken off dangerous building list since he did walkthrough as a courtesy before he knew it was going to be on dangerous building list. Ed Simmons asked if property was to be a rental and Mr. Schweifler said his brother was going to live in one apartment and rent the other.

Staff Recommendation: Table case until April 2008 to allow owner to schedule inspections to see if items on Dangerous Building list is completed.

Motion made by Randy Mackie and seconded by Kirk Kolberg to accept staff recommendation.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Randy Mackie		Greg Borgman		
Jon Rolewicz				
Nick Kroes				
		Chris Carter		
Ed Simmons				
Kirk Kolberg				

Motion carried.

PROPERTY MAINTENANCE CODE APPEAL

1682 Elwood St – Ruth A. Pool, 7016 Crocker Rd., Holton, MI 49425

Ms. Ruth Pool was present to represent case.

Ms Pool stated issuance date of Certificate of Compliance is suppose to be four years and she says the Certificate was short by 1 year 3 months. Jon Rolewicz asked when was the expiration date of the previous certificate. Jon Rolewicz said the date is based on four years from expiration date Ms Pool said that's not what the ordinance says. Jon Rolewicz showed copy of ordinance to Ms Pool and highlighted portion that applied. Ms Pool said it referred to a temporary certificate which she didn't have.

Board reviewed language of ordinance. Jon Rolewicz said Ms Pool was operating without a certificate for a year in a half which she agreed was true. Ms Pool said usually you get a notice and she had not received one. Jon Rolewicz said it is the responsibility as a business owner to know when compliances expire such as if your driver's license was expired for 2 years and saying it's the state's fault. Ms Pool said it's not the same as a state license because they always send you a notice. Randy Mackie said when the Certificate of Compliance is received it has the expiration date listed telling you that four years from issuance it will expire so that is the notice.

Motion was made by Randy Mackie to deny appeal and supported by Kirk Kolberg.

A roll call vote was taken:

AYES: NAYES: EXCUSED: ABSENT: ABSTENTION:

	Greg Borgman
Randy Mackie	
Jon Rolewicz	
Nick Kroes	
	Chris Carter
Ed Simmons	
Kirk Kolberg	

Motion carried.

DANGEROUS BUILDING REVIEW CASES:

EN-070238 – 254 Amity – Marilyn Brewster – 347 Shonat St, Apt #5, Muskegon, MI 49442

Ms Brewster was present to represent case.

Ms Brewster said she was awaiting bids which she recently received that was necessary for her to secure financing. She said primary concern is to get the structure up to code so she can re-occupy it and is taking budgeting classes so she can have enough money to repay loan. She felt it would be in best interest of City if she could bring it code it would be a tax enhancement as well a residence for her since she would prefer to live there than in present location. Jon Rolewicz asked had there been any progress with Neighborhood Investment Corp which Ms Brewster stated until she had received the bids she couldn't move forward because she didn't know how much would be required for a loan but now she has taken the initial steps and hope to continue with the process and keep the Inspection Department informed with the progress she is making. Mark Kincaid said case was brought back because no

contact had been made with Ms Brewster since the last meeting and we know Neighborhood Investment doesn't work on the time frame of the City of Muskegon.

A motion was made by Ed Simmons to table until the April 2008 meeting and was seconded by Randy Mackie.

A roll call vote was taken:

AYES: NAYES: EXCUSED: ABSENT: ABSTENTION:

		Greg Borgman
Randy Mackie		
Jon Rolewicz		
Nick Kroes		
		Chris Carter
Ed Simmons		
Kirk Kolberg		

Motion carried.

EN-070251 – 1142 Maple – Carol Ripley – 1780 Duchess Ct., Muskegon, MI 49442

No one was present to represent case.

Mark Kincaid said their has been contact with owner and a timeline has been provided and owner has a good tract record with other rehabilitation properties she's worked on.

Staff Recommendation: Table until October 2008 to allow owner time to complete repairs.

Motion made by Randy Mackie and supported by Ed Simmons to accept staff recommendation.

A roll call vote was taken:

AYES: NAYES: EXCUSED: ABSENT: ABSTENTION:

		Greg Borgman
Randy Mackie		
Jon Rolewicz		
Nick Kroes		
		Chris Carter

Ed Simmons
Kirk Kolberg

Motion carried.

**EN-080014 -1859 Leahy –Garage – Phoebe C. Heise, 8243 Old Channel Tr.,
Montague, MI 49437**

No one was present to represent case.

Mark Kincaid showed pictures to board saying the garage is pretty well tore up.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

Randy Mackie made a motion to accept staff recommendation and was seconded by Nick Kroes.

A roll call vote was taken:

AYES: NAYES: EXCUSED: ABSENT: ABSTENTION:

	Greg Borgman
Randy Mackie	
Jon Rolewicz	
Nick Kroes	
	Chris Carter
Ed Simmons	
Kirk Kolberg	

Motion carried.

EN-080015 – 922 W. Getty St – Darryl Lane, 1067 Frances, Muskegon, MI 49442

No one was present to represent case but a email was sent to board from owner for review.

Mark Kincaid stated letter was presented to board from owner who is on active duty in the army in Texas, pictures were presented to board to view. The owner states in the letter that he will be back in town in May 2008 and plans to clean it up then.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building with delay sending to City Commission until May 2008.
Motion made by Randy Mackie and supported by Kirk Kolberg to accept staff recommendation.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
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Randy Mackie		Greg Borgman		
Jon Rolewicz				
Nick Kroes				
		Chris Carter		
Ed Simmons				
Kirk Kolberg				

Motion carried.

EN-080018 -371 Houston – Deutsche Bank National Trust, 3 Ada, Irvine, CA 92618

No one was present to represent case.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
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		Greg Borgman		
Randy Mackie				
Jon Rolewicz				
Nick Kroes				
		Chris Carter		
Ed Simmons				
Kirk Kolberg				

Motion carried.

EN-070257 – 2241 Sherin – Larry Earle – 1456 Beardsley, Muskegon, MI 49441

No one was present to represent case.

Mark Kincaid showed pictures of property to board stating the outside is deceiving and work was done without permits but very poor construction practices evident on the inside. He stated the structure of the house has been compromised. Ed Simmons asked if the structure was a two unit. Mr. Kincaid said it may have been at one time.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

Motion made by Randy Mackie and supported by Nick Kroes to accept staff recommendation.

A roll call vote was taken:

AYES:

NAYES:

EXCUSED:

ABSENT:

ABSTENTION:

Randy Mackie
Jon Rolewicz
Nick Kroes

Greg Borgman

Chris Carter

Ed Simmons
Kirk Kolberg

Motion carried.

OLD BUSINESS:

Nick Kroes asked about 143 W. Southern stating the last meeting he was present Don LaBrenz had said the 180 day board-up would be expiring soon. Mark Kincaid said it would be addressed.

NEW BUSINESS:

ADJOURNMENT:

6:00 PM

CITY OF MUSKEGON

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF
THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Ann Becker, City Clerk
933 Terrace Street
Muskegon, MI 49443
(231) 724-6705 or TDD (231) 724-6773